

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

THOMAS MAY, on behalf of himself)
and all others similarly situated,)
)
Plaintiff(s),)
)
v.) Case No. 1:22-CV-79-SNLJ
)
MAKITA U.S.A., INC.,)
)
Defendant.)

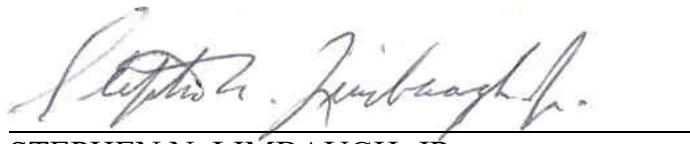
MEMORANDUM AND ORDER

On January 26, 2023, this Court issued an order requesting the parties to submit supplemental briefing on the propriety of class certification for plaintiff's remaining non-dismissed claim under the Missouri Merchandising Protection Act. [Doc. 29.] Defendant moved to extend and stagger the briefing schedule as to the propriety of class certification. [Doc. 30.] Plaintiff does not object to extending the schedule. [Doc. 31.] Plaintiff has since filed an amended complaint, alleging new facts, realleging previously dismissed claims, and requesting class certification for each claim. [Doc. 32.] Because defendant has yet to file responsive pleadings to plaintiff's amended complaints, the Court will grant defendant's motion, but will not set a new briefing schedule until after defendant's response pleadings and any plaintiff response.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion to extend the briefing schedule [Doc. 30] is GRANTED, and the previously set deadline [Doc. 29] is rescinded, with a new briefing schedule to be issued by the Court after responsive pleadings are made.

Dated this 22nd day of February, 2023.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE